



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 054-021, BACK RIVER

EFFECTIVE 31 OCTOBER 2005

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

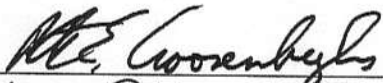
1. The "Notice and Description of Shellfish Area Condemnation Number 054-021, Back River," effective 11 April 2005, is cancelled effective 31 October 2005.
2. Condemned Shellfish Area Number 054-021, shown as Sections A, B, C and D, is hereby established, effective 31 October 2005. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Back River, Condemned Shellfish Area Number 054-021, 31 October 2005" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 054-021, shown as Section M1, is hereby established, effective 31 October 2005, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundary of this area is shown on the map titled "Back River, Condemned Shellfish Area Number 054-021, 31 October 2005" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 054-021

- A. The condemned area shall include that portion of Front Cove and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°06'39.9", -76°19'11.6") and map coordinate (37°06'45.5", -76°19'04.3").

- B. The condemned area shall include that portion of the Northwest Branch of Back River and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°06'16.2",-76°21'41.8") and map coordinate (37°06'41.0",-76°21'18.9").
- C. The condemned area shall include all of the Southwest Branch of Back River and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°05'24.3",-76°20'12.4") and map coordinate (37°05'29.5",-76°19'29.9").
- D. The condemned area shall include all of Watts Creek and that portion of the Northwest Branch of Back River lying upstream of a line drawn between latitude/longitude map coordinate (37°06'41.0",-76°21'18.9") and map coordinate (37°06'35.8",-76°20'51.4").
- M1. The condemned area shall include that portion of Front Cove lying upstream of a line drawn between latitude/longitude map coordinate (37°06'26.2",-76°19'07.5") and map coordinate (37°06'37.1",-76°18'58.8"), but excluding the area defined as Section A.

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner

10/20/05

Date

City of Poquoson

Virginia Department of Health

Back River

Condemned Shellfish Area Number 054-021

31 October 2005

